IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 6TH SEPTEMBER 2007 / 15TH BHADRA 1929

WP(C).No. 25997 of 2007(T)

PETITIONERS:

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1. A.AMINA,
   MADATHIL HOUSE, VELLAYUR P.O.,
   KALIKAVU, MALAPPURAM DIST.

2. E.K.UMMERKOYA,
   ERANJIKKAL HOUSE, VELLAYUR P.O.,
   MALAPPURAM.

BY ADV. SRI.V.G.SANKARAN

RESPONDENTS:

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1. THE NILAMBUR CO-OPERATIVE URBAN BANK LTD
   NO.F 1043, NILAMBUR REPRESENTED BY ITS
   PRESIDENT.

2. DEPUTY GENERAL MANAGER,(AUTHORIZED
   OFFICER), NILAMBUR URBAN CO-OP. BANK,
   NILAMBUR.

3. THE ASSISTANT REGISTRAR OF CO-OPERATIVE
   SOCIETIES, NILAMBUR.

R1 BY SC SRI. P.J. DEVAPRASANTH.
R2 & R3 BY GOVT. PLEADER SMT. ANU SIVAAMAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.25997 of 2007

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Dated this the 6th day of September, 2007

JUDGMENT

Petitioners availed a loan. It was not repaid. Recovery is challenged. There is prayer to allow payment in twelve equal monthly instalments and to serve a statement of accounts.

2. I heard learned counsel for the respondents also.

Petitioners are permitted to pay off the amount remaining to be paid with due interest in five equal monthly instalments. The first respondent will serve a statement on the petitioners within two weeks from today showing the amount remaining to be paid by the petitioners giving credit to the amount already received from the petitioners and also showing the exact amount of instalment to be paid by the petitioners on the basis that the petitioner have to pay the amount remaining to be paid with due interest in five equal monthly instalments. The first instalment shall be payable on or before 3.10.2007 and the subsequent instalments on or before the 3rd of the succeeding months. If any instalment is not paid, the petitioners will

lose the benefit of this judgment and it will be open to the respondents to proceed against the petitioners.

The writ petition is disposed of as above.

(K.M. JOSEPH, JUDGE)

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